THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.26462 of 2006

12.3.2007

Between:

Gangavarapu Guruvaiah, S/o.Thirupal
And others

… Petitioners

AND

The Principal Secretary to Government of Andhra Pradesh,
Panhayat Raj and Rural Development, Secretariat, Hyderabad
And others

… Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.26462 of 2006

ORDER:

All the petitioners are statedly Sarpanches of various Gram Panchayats, which they represent. They filed the instant writ petition seeking a writ of Mandamus declaring the action of respondents 2 and 3, namely, Mandal Parishad Development Officer, Cheemakurthi Mandal and Assistant Executive Engineer, Cheemakurthi, in entrusting the works to individuals on nomination basis as illegal and arbitrary.

It is the case of the petitioners that as per the orders of the Government issued in G.O.Ms.No.37, dated 18.2.2005, whenever works are sanctioned, all the works where the value is more than Rs.5,00,000/- should be entrusted to the Committee constituted by the Gram Panchayat. They allege that the guidelines issued by the Government in the said G.O. were also clarified in G.O.Ms.No.10, dated 10.1.2006, and in spite of the same, respondents 2 and 3, who identified the works estimated at Rs.2,60,00.000/-, allotted the works on nomination basis.

A counter affidavit is filed by the respondents. No reply affidavit is filed denying the counter averments. Learned Assistant Government Pleader for Panchayats submits that the writ petition is premature as it was filed even before the technical sanction is accorded. Learned Counsel for respondents 2 and 3 also does not dispute that the works will have to be allotted to the organizations as per the guidelines in G.O.Ms.No.37 and G.O.Ms.No.10. Having regard to the same, the writ petition is misconceived.

The writ petition, with the above observations, is accordingly dismissed. No costs.

March 12, 2007 (**V.V.S.RAO,J**)
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